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January 15, 2013

VIA E-FILING

Hon. Andrew T. Baxter, U.S. Magistrate Judge
Federal Building and U.S. Courthouse
P.O. Box 7396
Syracuse, NY 13261-7396

Re: *Markel v. Walters, Lichorowic and WB Payne*
NDNY Civil Action No.: 11cv-1347-GLS-ATB

Dear Magistrate Baxter:

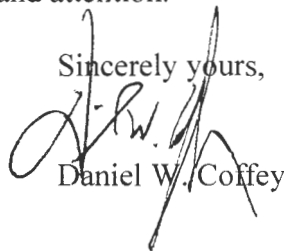
Following our December 17, 2012 conference call, Your Honor entered a Text Order requiring the parties to file a status report no later than today.

Your Honor may recall that the damages at issue are less than \$15,000. Counsel have been actively discussing settling this case this week. I am cautiously optimistic this matter will settle in the next few days. However, the insured's counsel (Mr. Fusco) has been in court and I am waiting to receive a response from him.

At this time, the parties are not requesting further assistance from the Court. However, if the case does not settle promptly, we will advise.

Thank you for your time and attention.

Sincerely yours,



Daniel W. Coffey

cc: **VIA E-FILE**
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